

76-9403/2

OBC

25 May 26

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JOHN N. MITCHELL

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STEPHANIE KIPPERMAN, et al.,

Plaintiffs,

vs.

JOHN A. McCONE, et al.,

Defendants.

No. C-75-1211 CBR

NOTICE OF POSITION ON PLAINTIFFS' MOTION TO
AMEND AND NOTICE OF OPPOSITION TO DEFENDANT
UNITED STATES OF AMERICA'S MOTION TO VACATE
JUDGMENT OR, IN LIEU THEREOF, TO ENTER AN ORDER
OF DISMISSAL AS TO DEFENDANT JOHN N. MITCHELL

Defendant JOHN N. MITCHELL does not take an adversary
position on Plaintiffs' motion to amend or to reconsider as it
involves a matter that is wholly within the Court's discretion and
affects no significant interest of the Defendant MITCHELL.

With respect to the motion to vacate judgment filed by
the United States of America, Defendant JOHN N. MITCHELL joins
the Defendant J. EDWARD DAY and others in their opposition to the
Government's motion to vacate judgment on the ground that the
facts disclosed by the Government do not necessitate or justify

(EXECUTIVE REGISTRY FILE)

1 a reopening of this litigation or, in lieu thereof, to enter a
2 new order of dismissal as to the Defendant JOHN N. MITCHELL on the
3 ground that the United States District Court for the Northern
4 District of California lacks personal jurisdiction over said
5 defendant.

6 Said opposition and motion are based upon all of the
7 records and files in this case and, in particular, the memorandum
8 of points and authorities heretofore filed by the Defendant
9 MITCHELL in support of his Motion to Dismiss the Third Amended
10 Complaint or for Summary Judgment and Defendant DAY'S memorandum
11 in support of his Motion to Dismiss.

12 The aforesaid notice, opposition and motion have been
13 set for hearing by this Court on May 27, 1976, at 9:00 A.M., in
14 the Courtroom of the Honorable Charles B. Renfrew, United States
15 District Judge, Courtroom No. 2, United States Courthouse, 450
16 Golden Gate Avenue, San Francisco, California.

17 DATED: May 25, 1976.

18 Respectfully submitted,

19 TUCKMAN, GOLDSTEIN & PHILLIPS

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21 BY 
22

23 ALVIN H. GOLDSTEIN, JR.
24 Attorneys for Defendant
25 John N. Mitchell
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Executive Registry

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20 May 76

note - Basic

NIF as of

28 May 76

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 10 One Embarcadero Center
 11 San Francisco, CA 94111

12 Attorneys for Defendant
 13 Richard Helms

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

14 STEPHANIE KIPPERMAN, etc.,)	
)	NO. C-75-1211-CBR
15 Plaintiff,)	
)	NOTICE OF POSITION
16 vs.)	AS TO MOTIONS ENTERED
)	<u>FOR MAY 27, 1976</u>
17 JOHN McCONE, ET AL.,)	
)	
18 Defendants.)	

19
 20 Defendant Richard Helms will not take any position as
 21 to Plaintiff's Motion to Amend or to Reconsider in this matter,
 22 which motion is set to be heard on May 27, 1976, at 9 a.m., in the
 23 Courtroom of the Honorable Charles B. Renfrew, Courtroom No. 2,
 24 United States Courthouse, 450 Golden Gate Avenue, San Francisco,
 25 California.

26 Defendant Richard Helms has reviewed the Motion to Enter
 27 an Order of Dismissal for Lack of Jurisdiction Over the Person
 28 filed herein by Defendant J. Edward Day. Defendant Helms joins
 29 in said Motion to Enter an Order of Dismissal for Lack of
 30 Jurisdiction Over the Person for the reasons set forth therein and

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1 in the Brief filed in support of said motion, and on such further
2 grounds that may be presented at the hearing on said motion.

3 DATED: May 24, 1976

4 Respectfully submitted,

5 ARENT, FOX, KINTNER, PLOTKIN & KAHN

6 DINKELSPIEL, PELAVIN, STEEFEL & LEVITT

7
8 By


Stephen S. Mayne

9 Attorneys for Defendant Richard Helms
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